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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,925	12/14/2000	Carl Dionne	1561-63	5812

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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,925

Applicant(s)

DIONNE ET AL.

Examiner

Michael S. A. Delgado

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.5.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,067,551 by Brown et al.

In claim 1, Brown teaches about an apparatus for sharing data over a network, having a plurality of network-connected terminals “multi-user”, each comprising (Col 4, lines 5-20),

visual display means (Fig 1, 48);

processing means (Fig 1, 21);

storage means (Fig 1, 32); and

memory means; wherein said memory means includes

instructions to duplicate an object from a second of said network connected terminals “shared server” at a first of said network-connected terminals in response to a data requirement of said first terminal (Col 4, lines 5-20);

instructions to access data in said object using locally executed object instructions at said first terminal (Col 4, lines 5-20); and (Editing instructions use to edit document).

instructions to maintain data consistency between duplicated objects “reconciling process” (Col 4, lines 28-35).

In claim 2, Brown teaches about an apparatus according to claim 1, wherein said instructions are either stored in said storage means or are loaded from an external medium and retrieved into said memory means (Col 9, lines 10-15). (Application program is loaded in to memory from hard drive)

In claim 3, Brown teaches about an apparatus according to claim 1, wherein said instructions maintain data consistency between duplicated objects monitor central Processing Unit usage and network bandwidth utilization “timing issues” (Col 4, lines 28-35) (Col 2, lines 60-65).

In claim 4, Brown teaches about a method of sharing data over a network, having a plurality of network-connected terminals, each comprising memory means and processing means, said memory means including instructions for managing object duplication, including steps of (Col 7, lines 30-50)

(a) in response to a data requirement of a first of said network terminals, duplicating an object from a second of said network terminals “share server” at said first terminal (Col 4, lines 5-20);

(b) at said first terminal, accessing data in said object using locally executed object instructions (Col 4, lines 5-20); and (Editing instructions use to edit document).

(c) maintaining data consistency between duplicated objects “reconciling process” (Col 4, lines 28-35).

In claim 5, Brown teaches about a method according to claim 4, wherein said object duplication instructions for managing object duplication constitutes a duplication manager “MCF” (Col 5, lines 40-60) (Col 4, lines 5-20).

In claim 6, Brown teaches about a method according to claim 4, wherein said object from a second of said network terminals is a duplicate master (Col 5, lines 40-60).

In claim 7, Brown teaches about a method according to claim 4, wherein said duplicated object at said first terminal is a duplicate (Col 4, lines 5-20).

In claim 8, Brown teaches about a method according to claim 4, wherein said duplicate master updates said duplicate (Col 5, lines 40-60).

In claim 9, Brown teaches about a method according to claim 4, wherein only one duplicate master exists for a group of duplicates (Col 5, lines 40-60).

In claim 10, Brown teaches about a method according to claim 4, wherein the role of any of said duplicates within said group and the role of said duplicate master can be switched (Col 3, lines 20-30). The reconstruction process reverses the role between the user and central control as the user provide the duplicates while the central control take action on the duplicates.

In claim 11, Brown teaches about a method according to claim 10, wherein said switching is the result of a command, called load-balancing, or the result of an automatic fault-recovery process performed by the duplication manager (Col 3, lines 20-30).

In claim 12, Brown teaches about a method of sharing data over a network, having a plurality of network-connected terminals, each comprising memory means and processing means, said memory means including instructions for managing object duplication, including steps of (Col 7, lines 30-50):

(a) in response to an availability of a list of said network terminals, duplicating an object from a second of said network terminals “shared server” at said first terminal (Col 4, lines 5-20):

(b) at said first terminal, accessing data using locally executable object instructions (Col 4, lines 5-20); and (Editing instructions use to edit document).

(c) maintaining data consistency between duplicated objects (Col 4, lines 28-35).

In claim 13, Brown teaches about a method according to claim 12, wherein said object duplication instructions for managing object duplication constitute a duplication manager “MCF” (Col 5, lines 40-60) (Col 4, lines 5-20).

In claim 14, Brown teaches about a method according to claim 12, wherein said object from a second of said network terminals is a duplicate master “MCF” (Col 5, lines 40-60) (Col 4, lines 5-20).;

In claim 15, Brown teaches about a method according to claim 12, wherein said duplicated object at said first terminal is a duplicate (Col 4, lines 5-20);

In claim 16, Brown teaches about a method according to claim 12, wherein said duplicate master updates said duplicate (Col 5, lines 40-60);

In claim 17, Brown teaches about a method according to claim 12, wherein only one duplicate master exists for a group of duplicates (Col 5, lines 40-60).

In claim 18, Brown teaches about a method according to claim 12, wherein the role of any of said duplicates within said group and the role of said duplicate master can be switched (Col 3, lines 20-30). The reconstruction process reverses the role between the user and central control as the user provide the duplicates while the central control take action on the duplicates.

In claim 19, Brown teaches about a method according to claim 18, wherein said switching is the result of a command, called load-balancing, or the result of an automatic fault-recovery process performed by the duplication manager (Col 3, lines 20-30).

In claim 20, Brown teaches about a computer-readable medium having computer-readable instructions executable by a computer such that, when executing said instructions, a computer will perform the steps of (Fig 1)

(a) in response to a data requirement of a first network terminal of a plurality of network terminals, duplicating an object from a second of said plurality of network terminals at said first terminal (Col 4, lines 5-20);

(b) at said first terminal, accessing data in said object using locally executed object instructions (Col 4, lines 5-20); and (Editing instructions use to edit document).

(c) maintaining data consistency between duplicated objects (Col 4, lines 28-35).

In claim 21, Brown teaches about a computer-readable medium having computer-readable instructions executable by a computer such that, when executing said instructions, a computer will perform the steps of (Fig 1)

(a) in response to an availability of a list of network terminals, duplicating an object from a second of said network terminals at a first of said terminals (Col 4, lines 5-20);

(b) at said first terminal, facilitating data access using locally executable object instructions (Col 4, lines 5-20); and

(c) maintaining data consistency between duplicated objects (Col 4, lines 28-35).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,781,908 by Williams et al, teaches about a file data synchronizer in a distributed data computer network.

US Patent 6,742,023 by Fanning et al, teaches about an use-sensitive distribution system for transferring data files between users of computer network e.g. for users accessing a chat room or news group over the Internet and wanting to share files.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is 703-305-8057. The examiner can normally be reached on 7.30 AM - 5.30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (703)308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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